

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13800, of Fernwood Corp., pursuant to Sub-section 8208.2 of the Zoning Regulations, for a special exception under Paragraph 4101.44 to use Suite "A" of the subject premises as offices for a non-profit organization in an SP-1 District at the premises 1520 16th Street, N.W., (Square 180, Lot 84).

HEARING DATE: July 28, 1982
DECISION DATE: August 4, 1982

FINDINGS OF FACTS:

1. The subject property is located at the northwest corner of the intersection of 16th and Church Streets, and is known as 1520 16th Street, N.W. It is in an SP-1 District.
2. The subject lot is rectangular in shape and measures fifty feet by 110 feet. The site is improved with an eight story apartment building. The site is bordered at the rear by a ten foot wide public alley.
3. South of Church Street is the Foundry Methodist Church. North of the subject property is an eight story apartment building. A large playground occupies most of the interior of Square 180 to the west of the site. The immediate vicinity of the site is characterized by various sized row dwellings used for single family and multi-family purposes and large apartment buildings. There are a number of SP office uses in the area, including the American Trucking Association and the National Wildlife Association south of P Street. The University of the District of Columbia occupies a large building across 16th Street from the subject property.
4. The applicant's tenant, the Community Careers Resource Center, requests a certificate of occupancy for the use of a first floor office in the fifty-two unit apartment building.
5. The Center has occupied the subject space since May of 1981. On September 16, 1981, the parent group of the subject Center, the Potomac Area Council of American Youth Hostels, Inc., filed an application with the BZA for a use variance. On January 20, 1982, the Board permitted the applicant to WITHDRAW its application. The Center now seeks the Board's relief through a special exception.

6. Since the time the building was constructed, approximately twelve years ago, the subject space known as Suite "A" has never been occupied as a residence. The design of the space reflects its original intended purpose as a doctor's office. The suite is broken up into small consulting/examination rooms, an open reception area and a paneled office. There is no kitchen, bathtubs, showers, clothes closets, etc., which would be necessary for use as an apartment. Extensive renovation would be necessary to convert it to this use. Originally used as a doctor's office, from 1973 until 1981, it was occupied as office space by the Potomac Area Council of American Youth Hostels, Inc., a non-profit organization.

7. The subject Center exists to research and help educate people, especially young people, about the many opportunities that exist for them to work with non-profit community and public interest organizations all across the country. The work that takes place in the office includes research, writing and producing educational publications, including a monthly newsletter called "Community Jobs." Its outreach to the public is conducted through the mail and on the telephone, as well as conferences and college career days that it attends. The Center provides no direct, face to face services nor does it retail any of its materials from the office. There is little automobile or foot traffic created by the presence of this office.

8. The floor plans for Suite "A", Exhibit No. 20 of the record, evidence that the suite contains approximately 1,350 square feet of floor area. Pursuant to Section 7202 of the Zoning Regulations no on-site parking is required.

9. The Resource Center employs three full time employees. None of the employees drives to work, although there is ample garage parking available in the immediate neighborhood if this situation was to change in the future. The office is occupied generally from 9:00 A.M. to 5:00 P.M. Monday through Friday.

10. The Office of Planning and Development, by report dated July 23, 1982, recommended that the application be approved provided that the applicant satisfy the parking requirements, if any. The OPD was of the opinion that the proposed non-profit organization use would be in harmony with existing uses. The height, design and bulk of the existing apartment house are in harmony with existing uses and structures on neighboring property, and will not be changed. The subject organization conducts its business on the telephone and through the mail, and little automobile or pedestrian traffic visits the location. No retail sales are conducted as part of the office activities. The proposed office use of the building will not violate the maximum permitted floor area ratio for office use in the SP-1 District. The Board so finds.

11. There was no opposition to the application at the public hearing or of record.

12. Advisory Neighborhood Commission 2 B made no recommendation on the application.


CONCLUSIONS OF LAW AND OPINION:

Based on the findings of fact and the evidence of record, the Board concludes that the applicant is seeking a special exception. In order to be granted such an exception, the applicant must demonstrate that it has complied with the requirements of Paragraph 4101.44 and Sub-section 8207.2 of the Zoning Regulations. The Board concludes that the applicant has so complied. The tenant is a non-profit organization. The use, height, bulk and design of the site are in harmony with existing uses and structures on neighboring property. The use will not create dangerous or other objectionable traffic conditions. The Board further concludes that the relief can be granted as in harmony with the general purpose and intent of the Zoning Regulations and will not tend to affect adversely the use of neighboring property.

Accordingly, it is ORDERED that the application is GRANTED SUBJECT to the CONDITION that the use is limited to the operation by the Community Careers Resource Center.

VOTE: 3-1 (Walter B. Lewis, Douglas J. Patton and Charles R. Norris to GRANT; Connie Fortune OPPOSED; William F. McIntosh not voting, not having heard the case).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: 
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: OCT 26 1982

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.